



WISCONSIN REGULATORY DIGEST

A Publication of the NURSING HOME ADMINISTRATOR EXAMINING BOARD

Volume 8. No. 1

September, 1997

BOARD APPROVES PROPOSED ADMINISTRATIVE CODE CHANGES

Summary of Significant Proposed Changes

The Nursing Home Administrator Examining Board proposes to amend its rules to include the following changes:

- 1) Amend NHA 1.02(1) and 4.03 (2) to clarify that the board will accept only experience which is acquired within a certain time period, (any consecutive 36-month period within the 5-year period immediately preceding the date of application for licensure).
- 2) Create NHA 1.02(9) to define the term "supervised clinical practicum" as "work experience acquired in a nursing home in conjunction with a regular course of study."

THE WISCONSIN NURSING HOME ADMINISTRATOR EXAMINING BOARD

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3) Repeal and recreate NHA 2.02 to require credential applicants to submit applications for examination to the board at least 60 calendar days prior to the date of the examination (current rules require submission at least 30 days prior to the examination.)

4) Create NHA 2.02(3); 4.01(1)(e) and 4.03(4) to clarify that all credential applicants, must "provide a statement relating to any pending criminal charge or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats. An applicant who has a pending criminal charge or has a conviction record shall provide the board with all related information necessary for the board to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of nursing home administration."

5) Create NHA 2.04 to identify the standard used by the board to determine the passing grades for the state and national examinations. For the national examination, the rule states: "Each applicant shall receive a grade determined by the board to represent minimum competence to practice. The board may adopt the passing grade recommended by the examination provider." "To pass the state law examination, each applicant shall receive a grade determined by the board to represent minimum competence to practice. The board shall determine the passing grade after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics."

6) Create NHA 2.05 to clarify that the board may deny an application for licensure if it determines that an applicant has violated the rules of conduct of the examination.

7) Create NHA 3.01(2), (3) & (4) to identify the procedure for course approval, specifically:

3.01(2) An application for approval of a regular course of study shall include a current copy of the college or university catalog which contains a summary of the requirements for completion of the degree program, including a list of the required courses and a description of the supervised clinical practicum.

3.01(3) An application for approval of a program of study shall include a current copy of the college or university catalog which contains a summary of the requirements for completion of the program of study, including a list and description of the required courses and the number of credits approved for each course.

3.01(4) An application for approval of a specialized course shall include a current copy of the course syllabus, a description of the course and the number of proposed credits.

8) NHA 4.01(1)(c) is repealed and recreated to clarify that evidence of completion of the experience requirement must be submitted to the board in conjunction with the application for licensure, not the application for examination.

9) Repeal NHA 4.04, which states, in part, that a reciprocal examination must be scheduled at a time mutually convenient to the applicant and the board, as it is not consistent with the board's current practice.

10) Repeal NHA 6, relating to access to public records, as these procedures for obtaining access to public records of governmental agencies are contained in Chapter 19, Wis. Statutes.

The changes were made in response to a department effort to clarify the rules of all the regulatory authorities housed in the Department of Regulation and Licensing. A public hearing was held on April 24, 1997. There were no appearances at this hearing, nor were any written comments received. Based on approval of legislative committee, these rules will become effective on October 1, 1997.

NAB CONFERENCE REPORT

The National Association of Boards of Examiners of Long Term Care Administrators (NAB) Conference was held in Minneapolis, Minnesota on June 18-20, 1997. The mission of this association is to enhance the effectiveness of state boards of long term care administrators in meeting their statutory and regulatory duties and responsibilities to protect the health, safety, and welfare of the public. During the conference multiple committees met, including By-laws, RC/ALF Examination, Endorsement, AIR Task Force, Education, Continuing Education, Standards of Practice and Government Affairs Task Force. A NCERS Reviewer Training Session was also held. The conference was

attended by Wisconsin Board Chair, Shirley Keller, who is a member of the Examination Committee and also serves as a member of the Board of Governors. The Examination Committee reviewed a new NAB exam which will be available in the fall of this year. A discussion, with no conclusion, was held on how often a candidate should be allowed to sit for the exam. The committee also voted to retain Professional Examination Services (PES) as the contracted exam provider. At the Board of Governors meeting each member state is represented by one voting delegate. All committees give reports and any motions which require a vote are dealt with at this time. One convention highlight this year was the round-table panel discussion entitled, "Charting the Course for Residential Care." Future meetings include: November 12-14, 1997, Mid-Year Meeting and June 17-19, 1998 - Annual Conference.

EXAM DEVELOPMENT

Both the NAB national and the state law examinations are being updated at this time. All the professional board members are participating in question writing for an updated state law exam. The Content Outline for the new NAB exam includes:

Part I - General Administration

Organizational Management & Governance

- A. Structure (5%)
- B. Quality (7%)
- C. Operations (9%)
- D. External Forces (5%)

Community Relations & Marketing

- A. Promotion (5%)
- B. Marketing (5%)

Financial Management (8%)

Personnel Management (8%)

Environmental Management (7%)

Client Services (7%)

Food Service (5%)

Clinical Services (3%)

Part II - Nursing Home Administration

Client Services (8%)

Clinical Services (7%)

Environmental Management (5%)

Organizational Management/Governance (4%)

Financial Management (2%)

A new national exam is being developed for Residential Care/ Assisted Living Administrators, a category of administrators being regulated in several states. Board member Karen Davis-Robinson recently participated in a national question writing and review session for this exam. First administration is scheduled for January, 1998. Currently, Wisconsin does not regulate these administrators but licensure is required for this type of facility.

DID YOU KNOW? How many people currently hold an active Wi. Nursing Home Administrator credential?

Answer: 913

RECENT EXAM STATISTICS


EXAM STATISTICS FOR WISCONSIN CANDIDATES				
Date	NAB National Exam		State Rules Exam	
	# of Candidates	% Passing	# of Candidates	% Passing
1-1995	7	100%	11	100%
4-1995	16	87.5%	23	73.9%
7-1995	11	100%	16	87.5%
10-1995	14	92.9%	21	85.7%
1-1996	12	91.7%	18	94.4%
4-1996	18	72.2%	20	65.0%
7-1996	22	63.6%	25	58.0%
10-1996	29	74.4%	35	54.3%
1-1997	17	64.7%	25	76.0%
4-1997	34	76.5%	37	51.4%

DEFICIENCY LISTING FOR NURSING FACILITIES

In a recent report, prepared by the Bureau of Quality Assurance, Department of Health and Family Services, the 10 most common deficiency cites, based on frequency of occurrence, were:

1. F0272 Comprehensive Assessments
2. F0309 Provide Necessary Care and Services to Attain or Maintain the Highest Practicable Physical, Mental and Psychosocial Well-Being
3. F0221 Right to Be Free From Physical Restraints not Required for Treatment
4. F0253 Housekeeping and Maintenance Services
5. F0323 Facility is Free of Accident Hazards
6. F0279 Develop Comprehensive Care Plans
7. **TIE**
 - F0248 Activity Program Meets Individual Needs
 - F0514 Clinical Records Meet Professional Standards
8. F0314 Proper Treatment to Prevent/Heal Pressure Sores
9. F0329 Drug Regimen is Free From Unnecessary Drugs
10. F0225 Not Employ Persons Guilty of Abusing, Neglecting or Mistreating Residents

RENEWAL


CONTINUING EDUCATION REMINDER
START EARLY
 The next NHA renewal is JULY 1, 1998. Twenty-four (24) hours of Board-approved continuing education credits are required. Remember to keep your records unless they are requested by the department.

FUTURE TECHNOLOGY & THE BOARD

The Board is considering the possibility of holding one of its meetings via video teleconference. This would allow Board members, professionals and the public access to the meeting at four different sites across the state - Madison, Milwaukee, Eau Claire and Green Bay. One of the reasons for attempting this is to increase attendance and participation in the business of the board by administrators and the public. The current Board members feel that this participation is especially crucial as the industry is changing rapidly. Changes such as new federal and state review guidelines, the movement toward assisted living and community based residential facilities for provision of nursing home services and HMO/Medicaid patient funding will require a sharing of information. Would you be interested in this opportunity? Send comments to the department or via e-mail at the address listed on the back page.

DISCIPLINE

PHILIP J. CASTLEBERG REPRIMAND APOPKA, FL LIMITED LICENSE

On July 22, 1997, the Nursing Home Administrator Examining Board issued a Final Decision and Order in which it found that **Mr.** Castleberg was the administrator of Villa Pines Living Center in Friendship, Wisconsin, from January 1990 to April 1995, and that during the later part of his tenure as administrator of the facility he was routinely absent from the facility. The Board concluded that Mr. Castleberg, by his routine absence from Villa Pines, violated s. **NHA 5.02(2)**, Wis. Adm. Code. The Board's action is based upon a Stipulation signed by Mr. Castleberg. The Order provides that Mr. Castleberg is reprimanded; that his license is Limited until he successfully completes certain conditions including, but not limited to, completion of a 400-hour administrator-in-training program, and that he pay costs in the amount of \$1,500.00.

COMPLAINT PROCEDURES

Because policing of the profession is complaint driven, the Board must rely on professionals in the field as well as unsatisfied customers to file complaints. If you have a complaint about a nursing home administrator, you can contact the Department for a complaint form at (608)266-3736 or submit your complaint in writing. Please provide as much information as possible.

Administrators, if a complaint is filed against you, be aware that you have legal rights to due process. You will be contacted by the Department during the investigative stage and given an opportunity to defend yourself. You may be represented by an attorney.

Department of Regulation and Licensing
Nursing Home Administrator
Examining Board
P.O. Box 8935
Madison, WI 53708-8935

REGULATORY DIGEST

Bulk Rate
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NEW TELEPHONE SYSTEM

The Division of Business Licensure & Regulation has installed a new menu telephone system which is designed to more efficiently direct the caller to the appropriate section. It has had some "bugs" and we apologize for that; however, we will keep fine-tuning it so that you will receive good service. The new telephone number for licensing staff is:

(608)266-5511

After dialing this number you are asked to press 1, 2, 3 or 4. For the following requests, please press numbers as noted:

Application Forms _____ .Press 1, then Press 1
Complaint Against Licensees...Press 1, then Press 2
Verification of Licensure and
Name/Address Changes.....Press 2, then Press 1
Practice Questions _____ Press 3, then Press 1
Application Processing
and Requirements _____ Press 4, then Press 2

1997 DATES TO REMEMBER:

BOARD MEETINGS:

1997: October 9; December 11

**1998: February 19; April 23; June 18;
August 20; October 15; Dec. 16**

EXAMS:

October 9, 1997

All meetings are held at 1400 E. Washington Ave., Madison, WI., and are open to the public and subject to cancellation without notice, please call to confirm dates..

WISCONSIN STATUTES AND CODE

Copies of the Wisconsin Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. **NOTE: A NEW CODEBOOK DATED JUNE, 1997 IS NOW AVAILABLE.**

VISIT THE DEPARTMENT'S WEB SITE AT
<http://badger.state.wi.us/agencies/drl/>
Send comments to Ann Larson
@alarson1.mail.state.wi.us

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